

Message Text

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TO SECSTATE WASHDC 0000
INFO AMCONSUL ADANA
AMEMBASSY ATHENS
AMCONSUL ISTANBUL
AMCONSUL IZMIR
AMEMBASSY NICOSIA

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E.O. 11652: NA
TAGS: SHUM, TU
SUBJ: 1978 COUNTRY REPORT ON HUMAN RIGHTS PRACTICES: TURKEY

REF: STATE 215841

1. FOLLOWING IS DRAFT OF PROPOSED TEXT OF 1978 HUMAN RIGHTS
REPORT FOR TURKEY PER REFTEL. BEGIN TEXT

TURKEY HAS A HEALTHY, MULTI-PARTY, DEMOCRATIC SYSTEM IN
WHICH LONG TRADITIONS OF GOVERNMENTAL RESPONSIBILITY TO
PARLIAMENT, AN INDEPENDENT JUDICIARY AND A FREE PRESS WORK
TO PROTECT THE POLITICAL, CIVIL AND ECONOMIC RIGHTS OF THE
INDIVIDUAL CITIZEN. TURKEY'S CONSTITUTION, PENAL CODE AND
ADMINISTRATIVE REGULATIONS PROVIDE SAFEGUARDS WHICH APPROXI-
MATE DUE PROCESS AS UNDERSTOOD IN WESTERN EUROPEAN COUNTRIES.
TORTURE OR DEGRADING TREATMENT OF PRISONERS IS ILLEGAL. THE
PRESENT TURKISH GOVERNMENT HAS EXPRESSED A DEEP COMMITMENT
TO HUMAN RIGHTS AND HAS SHOWN A CONSISTENT SENSITIVITY
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TO HUMAN RIGHTS ISSUES DURING ITS TERM OF OFFICE.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM:

A. TORTURE

IN RECENT YEARS THERE HAVE BEEN SCATTERED ALLEGATIONS OF TORTURE IN A FEW NEWSPAPERS AND IN INDIVIDUAL WITNESS STATEMENTS MADE TO AMNESTY INTERNATIONAL; CONCLUSIVE PROOF IS LACKING. WHILE INCIDENTS OF TORTURE MAY OCCUR, THERE CLEARLY IS NO SYSTEMATIC POLICY OF TORTURE DIRECTED BY THE GOVERNMENT.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

THERE IS NO VERIFIED EVIDENCE OF CRUEL, INHUMAN OR DEGRADING PUNISHMENT BEING PRACTICED IN TURKEY.

C. ARBITRARY ARREST OR IMPRISONMENT

OCCASIONAL ALLEGATIONS THAT THE PRESCRIBED DETENTION PERIOD HAS BEEN EXCEEDED ARE NOT SUPPORTED BY SIGNIFICANT EVIDENCE.

D. DENIAL OF FAIR PUBLIC TRIAL

TRIALS IN TURKEY ARE OPEN, AND DEFENSE LAWYERS ARE AVAILABLE UNDER ALL CIRCUMSTANCES.

E. INVASION OF THE HOME

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PRIVACY OF THE HOME IS PROTECTED BY LAW, THE REQUIREMENTS OF WHICH ARE MET.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF THESE VITAL NEEDS ARE LIMITED ONLY BY THE ECONOMIC RESOURCES OF THE COUNTRY. RECENT TURKISH GOVERNMENTS HAVE PURSUED EGALITARIAN ECONOMIC AND SOCIAL POLICIES IN ALL AREAS OF PUBLIC LIFE DESIGNED TO MEET MINIMUM SOCIAL NEEDS AND TO PROMOTE SOCIAL MOBILITY. THESE INCLUDE A PROGRESSIVE TAX SYSTEM; PROTECTION OF THE RIGHTS OF LABOR, SUCH AS THE RIGHT TO ORGANIZE AND TO BARGAIN COLLECTIVELY; PRICING POLICIES AND CONTROLS FOR ESSENTIAL FOODSTUFFS; FREE PUBLIC HOSPITALS; COMPREHENSIVE SOCIAL SECURITY; AID TO THE AGED; AND FREE EDUCATION THROUGH UNIVERSITY LEVEL. EQUALITY IS GUARANTEED WOMEN UNDER THE TURKISH CONSTITUTION AND SPECIAL PROVISIONS HAVE BEEN WRITTEN INTO LAW FOR THE PROTECTION OF WOMEN AND THEIR RIGHTS, PAR-

TICULARLY IN THE FIELDS OF HEALTH AND LABOR.

FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY ARE
RESPECTED IN TURKEY. NOTIFICATION IS REQUIRED PRIOR
TO HOLDING LARGE PUBLIC MEETINGS, BUT ADVANCE
GOVERNMENT APPROVAL IS NOT NECESSARY. TURKEY HAS
A FREE AND LIVELY PRESS.

FREEDOM OF WORSHIP IS PROTECTED, BOTH UNDER THE
TURKISH CONSTITUTION AND THE 1923 TREATY OF LAUSANNE,
AND IS RESPECTED IN PRACTICE.

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VARIOUS ETHNIC GROUPS ENJOY NORMAL CIVIL AND
POLITICAL LIBERTIES. KURDS FROM THE LESS ECONOMICALLY-
DEVELOPED EASTERN REGIONS OF THE COUNTRY HAVE BENEFITED
GREATLY FROM THE ECONOMIC MOBILITY OF MODERN TURKEY
AND MANY HOLD INFLUENTIAL POSITIONS IN TURKISH SOCIETY,
INCLUDING SUBSTANTIAL NUMBERS OF DEPUTIES AND SENATORS
IN THE GRAND NATIONAL ASSEMBLY. AT THE SAME TIME, THE
TURKISH GOVERNMENT HAS PROHIBITED PUBLICATION IN, OR
TEACHING OF, KURDISH SINCE 1925 WHEN A SERIES OF
KURDISH REVOLTS THREATENED THE STABILITY AND UNITY OF
EASTERN TURKEY. REGARDING THE SMALL GREEK, ARMENIAN
AND JEWISH COMMUNITIES, THE PRESENT GOVERNMENT HAS
TAKEN INITIATIVES TO ASSURE THE FREE FUNCTIONING OF
COMMUNITY INSTITUTIONS. SOON AFTER TAKING OFFICE,

PRIME MINISTER ECEVIT MET WITH REPRESENTATIVES OF THESE GROUPS, AND A CABINET-LEVEL COMMITTEE WAS SUBSEQUENTLY CREATED TO COORDINATE THE GOVERNMENT'S RESPONSE TO THE CONCERNS THEY EXPRESSED. ACTIONS TAKEN INCLUDE THE FACILITATION OF FOREIGN TRAVEL FOR LIMITED OFFICIAL USE

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THE GREEK ORTHODOX CLERGY. WHERE PROBLEMS MUST BE RESOLVED AT A LOWER LEVEL, FOR EXAMPLE, IN OBTAINING PERMITS FOR NEW CONSTRUCTION AND REPAIRS OF INSTITUTIONAL BUILDINGS, CHANGES HAVE BEEN SOMEWHAT SLOWER IN COMING, THOUGH SUCH DIFFICULTIES ARE A COMMON FEATURE OF TURKISH LIFE.

B. THERE IS FREEDOM OF MOVEMENT, FOREIGN TRAVEL AND EMIGRATION. BECAUSE OF SEVERE FOREIGN EXCHANGE SHORTAGES, FOREIGN TRAVEL FOR PURPOSES OF TOURISM HAS BEEN LIMITED TO ONE TRIP ABROAD EVERY TWO YEARS AND ONE TRIP EACH YEAR TO THE NORTHERN AREA OF CYPRUS.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

THE ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS IS EXTENSIVELY PROTECTED IN TURKEY. ELECTIONS ARE WELL CONTESTED AND HONEST. ARTICLES OF THE CRIMINAL CODE FORBID THE FORMATION OF PARTIES WHICH ADVOCATE THE DIVISION OF THE SOCIETY ON CLASS LINES.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS OF HUMAN RIGHTS QUESTIONS. WE ARE NOT AWARE OF ANY OBSTACLES TO OUTSIDE INVESTIGATION. THE PRESENT GOVERNMENT REPORTEDLY HAS GIVEN AMNESTY INTERNATIONAL PERMISSION TO OPEN A NATIONAL OFFICE.

IN LIGHT OF THE TURKISH MILITARY INTERVENTION IN 1974 AND THE CONTINUED PRESENCE OF TURKISH ARMED FORCES IN NORTHERN CYPRUS, TURKEY TO SOME EXTENT SHARES WITH THE GREEK COMMUNITY RESPONSIBILITY FOR THE HUMAN LIMITED OFFICIAL USE

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RIGHTS SITUATION ON THE ISLAND. THE REPORT RELATING TO CYPRUS TAKES UP CHARGES AND COUNTER-CHARGES RELATING TO HUMAN RIGHTS VIOLATIONS ON THE ISLAND, MANY OF WHICH EXTEND BACK IN TIME TO THE PRE-1974 PERIOD. END TEXT

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